



REMARKS

In the Office Action dated March 13, 2003, claims 1-30 were pending. Claims 1-30 were rejected under 35 U.S.C. 112, 102, and 103. Portions of the specification were objected to.

In this response, claims 19-30 have been cancelled without prejudice. Claims 10 and 12-13 have been amended to particularly point out and distinctly claim, in full, clear, concise, and exact terms, the subject matter which Applicant regards as his invention. In addition, claims 31-60 have been added. Thus, claims 1-18 and 31-60 remain pending. No new matter has been added. The title of the present application has been amended. Reconsideration of this application as amended is respectfully requested.

Specification

The title of the present application was objected to. In view of foregoing amendment, the objection has been overcome.

The Office Action requested that Applicant add a "Summary of the Invention" description to the application. However, Applicant would like to kindly point out that both the M.P.E.P. and 37 C.F.R. §1.73 do not require the presence of a "Summary of the Invention" in a patent application. They merely indicate where in the application the "Summary of the Invention" should be placed if Applicant were to elect to include one.

In particular, 37 C.F.R. §1.73 only states that "[a] brief summary of the invention ... should precede the detailed description." 37 CFR §1.73 does not state "must" or "shall." Accordingly, Applicant has elected not to include a "Summary of the Invention" as this is within the discretion of Applicant. Withdrawal of the objection is respectfully submitted.



Rejections Under 35 U.S.C. §112

Claims 10-30 are rejected under 35 U.S.C. 112, second paragraph. In view of foregoing amendments, the rejection has been overcome.

Rejections Under 35 U.S.C. §102

Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Pawlowski (U.S. Patent No. 6,401,153, herein after Pawlowski I). Claims 10-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Bennett (U.S. Patent No. 6,466,998, hereinafter Bennett). Claims 19-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Pawlowski (U.S. Patent No. 6,219,741, hereinafter Pawlowski II).

Applicant notices that all of the above identified references (Pawlowski I, Pawlowski II, and Bennett) were issued after the filing date of the present application, and have been assigned to a common assignee of the present application.

To anticipate a claim, the reference must teach every element of the claim. A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." (Manual of Patent Examining Procedures (MPEP) 2131.)

In view of foregoing amendments, Applicant respectfully submits that claims 1-18 and 31-60 include the limitations that are not disclosed or claimed by the cited references, individually or in combination. Thus, claims 1-18 and 31-60 are not anticipated by the cited references.

In particular, independent claim 1 includes limitations of converting an interrupt into an upstream memory write interrupt and converting the upstream memory write interrupt into a front side bus interrupt transaction (e.g., a CPU bus interrupt transaction). Applicant submits that none of the cited references, individually or in combination, discloses or suggests the above limitations.

The Examiner contends that Pawlowski I discloses the limitations claimed by claim 1. Applicant respectfully disagrees. Rather, Pawlowski I discloses converting an interrupt signal through data and address lines to a processor. However, Pawlowski I fails to disclose converting an interrupt into an upstream memory write interrupt and then converting the upstream interrupt memory write interrupt into an FSB interrupt transaction. In fact, there is no mention of memory write interrupt in Pawlowski I, particularly, the upstream memory write interrupt. Therefore, independent claim 1 is not anticipated by the cited references.

Similarly, independent claims 4, 7, 10, 34, 37, 44, 51, and 59 include limitations similar to those claimed in claim 1. Therefore, for reasons similar to those discussed above, independent claims 4, 7, 10, 34, 37, 44, 51, and 59 are not anticipated by the cited references.

The rest of the claims depend from one of the above independent claims, thus include all of the distinct features of the respective independent claim, and therefore, for the reasons similar to those discussed above, are not anticipated by the cited references. Withdrawal of the rejections is respectfully submitted.

Rejections Under 35 U.S.C. §103(a)

Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bennett in view of Pawlowski I or Pawlowski II.



However, all of the above identified references (e.g., Pawlowski I, Pawlowski II, and Bennett) were issued after the filing date of the present application, and have been assigned to a common assignee of the present application.

Applicant submits that 35 U.S.C. § 103(c) prohibits the use of these U.S. Patents under 35 U.S.C. § 103(a) because these U.S. Patents and the subject application are owned by the same person. Thus, this rejection is improper and withdrawal of the rejection is respectfully submitted.

CONCLUSION

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In view of the foregoing, Applicant respectfully submits the present application is now in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call the undersigned attorney at (408) 720-8300.

Please charge Deposit Account No. 02-2666 for any shortage of fees in connection with this response.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

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Kevin G. Shao
Reg. No. 45,095

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025-1026
(408) 720-8300